

JC09 Rec'd PCT/PTO 07 OCT 2009

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : Unassigned Confirmation No. : Unassigned  
First Named Inventor : Akihiro ISHII  
Filed : October 7, 2005  
TC/A.U. : Unassigned  
Examiner : Unassigned

Docket No. : 038788.56805US  
Customer No. : 23911

Title : Process for Producing 2'-Deoxy-2'-Fluorouridine

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 AND 1.98**

**Mail Stop AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, the attached Form PTO-1449 lists documents which the Examiner may deem relevant to patentability of the claims of the above-identified application.

**I. Time Period of Submission**

This Information Disclosure Statement is submitted:

☒ 1) no later than three months from the application's filing date or 2) before the mailing date of the first Office Action on the merits (whichever is later), and therefore no statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

☐ after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, a Notice of Allowance, or an action closing prosecution (*Ex parte Quayle*), (whichever is earlier), and therefore Applicant is filing concurrently herewith:

☐ a Statement under 37 C.F.R. § 1.97(e); or

☐ a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

☐ after either a Final Office Action or a Notice of Allowance, but before payment of the Issue Fee, and therefore Applicant is submitting herewith:

a Statement under 37 C.F.R. § 1.97(e); and

a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

II. Statement Under 37 C.F.R. § 1.97(e)

☐ I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

☐ I hereby state that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making a reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

III. Submission of Non-English Language Documents

☒ The following is a concise explanation of relevance of the non-English language documents listed in the attached Form PTO-1449:

☐ The relevance of document(s) \_\_\_\_\_ to the subject matter of the present invention is/are provided in the specification of the above-identified application.

☐ Copy of a corresponding foreign or international report citing document(s) \_\_\_\_\_, together with an English-language version (if not already in English) of that portion of the report indicating the degree of relevance found by the foreign office.

☐ English language equivalent publication(s) of document(s) \_\_\_\_\_ is/are submitted herewith.

☒ English language abstract(s) is/are submitted for document(s) 1 and 2.

☐ English translation(s) of the foreign language document(s), is/are submitted herewith.

☐ Applicant submits the following explanations:  
\_\_\_\_\_.

IV. Continuations/Divisionals/PCT National Stage Applications

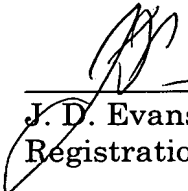
☐ Documents \_\_\_\_\_ were previously submitted in an Information Disclosure Statement filed on == in parent application Serial No. \_\_\_\_\_, from which this application claims a benefit.

☐ Copies of the references listed on the attached form PTO-1449 have already been provided by the International Searching Authority, therefore, duplicate copies are not attached hereto.

If necessary, this paper should be considered as an authorization to charge Deposit Account 05-1323, Attorney Docket No.: 038788.56805US, for the fee set forth in 37 C.F.R. § 1.17(p).

Respectfully submitted,

October 7, 2005

  
\_\_\_\_\_  
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Registration No. 26,269

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Substitute for form 1449A/PTO  <h3 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h3> <p style="text-align: center;"><i>(use as many sheets as necessary)</i></p>		<h4 style="text-align: center;">Complete if Known</h4> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>Not Yet Assigned</td> </tr> <tr> <td>Filing Date</td> <td>October 7, 2005</td> </tr> <tr> <td>First Named Inventor</td> <td>Akihiro ISHII</td> </tr> <tr> <td>Art Unit</td> <td>Not Yet Assigned</td> </tr> <tr> <td>Examiner Name</td> <td>Not Yet Assigned</td> </tr> <tr> <td>Attorney Docket Number</td> <td>038788.56805US</td> </tr> </table>		Application Number	Not Yet Assigned	Filing Date	October 7, 2005	First Named Inventor	Akihiro ISHII	Art Unit	Not Yet Assigned	Examiner Name	Not Yet Assigned	Attorney Docket Number	038788.56805US
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Attorney Docket Number	038788.56805US														
Sheet	1	of	2												

U.S. PATENT DOCUMENTS					
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-			
		US-			
		US-			
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FOREIGN PATENT DOCUMENTS						
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	1	JP 1-272595	10/31/1989	Central Glass Co., Ltd.		X
	2	JP 57-102889	06/26/1982	Toyo Jozo Co., Ltd.		X

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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10/552463

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PTO/SB/08b (08-03)

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Substitute for form 1449B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>		<b>Complete if Known</b>			
		Application Number	Not Yet Assigned		
		Filing Date	October 7, 2005		
		First Named Inventor	Akihiro ISHII		
		Art Unit	Not Yet Assigned		
		Examiner Name	Not Yet Assigned		
Sheet	2	of	2	Attorney Docket Number	038788.56805US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	3	Yoshiko SATO et al., "Synthesis and Hpnotic and Anti-Human Immunodeficiency Virus-1 Activities of N3-Substituted 2'-Deoxy-2'-fluorouridines", Chem.Pharm.Bull., Vol. 42, 1994, pages 595-598	
	4	Morio IKEHARA et al., "Studies on Nucleosides and Nucleotides. LXXXIX. Purine Cyclonucleosides. (43) Synthesis and Properties of 2'-Halogeno-2'-deoxyguanosines", Chem.Pharm.Bull., Vol. 29, 1981, pages 3281-3285	
	5	Morio IKEHARA et al., "Studies on Nucleosides and Nucleotides. LXXXVII. Purine Cyclonucleosides. XLII. Synthesis of 2'-deoxy-2'-fluoroguanosines", Chem.Pharm.Bull., Vol. 29, 1981, pages 1034-1038	
	6	International Search Report dated August 3, 2004 based on International Application No. PCT/JP2004/005109, filed April 9, 2004	

Examiner Signature		Date Considered	
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Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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